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14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17  
18 JOHN DOE #1 AND JOHN DOE #2,

Case No. 3:21-cv-00485-JCS

19 Plaintiffs,

**JOINT STATUS UPDATE PURSUANT TO  
COURT'S JUNE 22, 2022, ORDER (ECF  
NO. 96) AND STIPULATED REQUEST TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE**

20 v.

21 TWITTER, INC.,

22 Defendants.

CMC Date: December 16, 2022  
CMC Time: 2:00 p.m.  
Judge: Honorable Joseph C. Spero

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Defendant Twitter, Inc. and Plaintiffs John Doe #1 and John Doe #2 (collectively, the “Parties”), respectfully submit this joint status update regarding this matter.

On October 26, 2021, the Court entered an order certifying the Court’s August 19, 2021, motion to dismiss order for interlocutory appeal and staying all proceedings in the Action. (ECF No. 85.)

On January 21, 2022, the Ninth Circuit granted the Parties' petition for permission to appeal and cross-petition for permission to appeal pursuant to 28 U.S.C. § 1292(b). (ECF No. 92.)

On June 3, 2022, Twitter filed its opening Ninth Circuit brief. On August 5, 2022, Plaintiffs filed their answering brief and opening brief in support of their cross-appeal. On October 7, 2022, Twitter filed its reply brief in support of its appeal and answering brief. Plaintiffs' optional cross-appeal reply brief was filed on October 28, 2022. Oral argument has not yet been scheduled.

Given the continuing nature of the appeal, the Parties respectfully request a continuance of the Case Management Conference currently scheduled for December 16, 2022.

Dated: December 9, 2022

COOLEY LLP

By: /s/ Linh K. Nguyen  
Linh K. Nguyen

*Attorneys for Defendant Twitter, Inc.*

Dated: December 9, 2022

THE HABA LAW FIRM, P.A.

By: /s/ Lisa D. Haba  
Lisa D. Haba

*Attorneys for Plaintiffs John Doe #1 and John Doe #2.*

## **ATTESTATION**

*Filer's Attestation: Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, Linh Nguyen hereby attests that concurrence in the filing of this document has been obtained.*

Dated: December 9, 2022

COOLEY LLP

/s/ Linh K. Nguyen  
Linh K. Nguyen

*Attorneys for Defendant Twitter, Inc.*

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated:

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HON. JOSEPH C. SPERO  
UNITED STATES MAGISTRATE JUDGE